

**MINUTES OF THE REGULAR MEETING OF THE
NEW LENOX BOARD OF TRUSTEES**

**New Lenox Village Hall
1 Veterans Parkway, New Lenox, Illinois
Monday, November 28, 2011**

#11-28

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:04p.m. by Mayor Timothy Baldermann in the Council Chambers of the New Lenox Village Hall.

ROLL CALL

Upon Roll Call by the Village Clerk, the following members of the corporate authorities answered "Here" or "Present":

Trustees Smith, Madsen, Dye, Tuminello, Butterfield and Mayor Baldermann

Absent: Trustee Bowden

QUORUM

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

OTHER OFFICIALS IN ATTENDANCE

Also in attendance were Village Administrator Kurt Carroll, Finance Director Kim Auchstetter, Village Clerk Laura Ruhl, Planning & Development Director Robin Ellis, Building & Zoning Administrator Warren Rendleman, Police Chief Bob Sterba, Public Works Superintendent Ken Brozovich, Director of Operations Ron Sly, Village Engineer Will Nash, Economic Development Director Nancy Hoehn, Assistant to the Administrator Carol Hennessy and Attorney Marty Shanahan

MAYOR

Presentation to the New Lenox Food Pantry – Old Plank Trail Bank – Paul Slade

Mayor Baldermann introduced Paul Slade of Old Plank Trail Bank to present Kathy Johnson of the New Lenox Township Food Pantry with a check for \$10,000.00 which was raised from a 5K Race that was sponsored by Old Plank Trail Bank. Mr. Slade acknowledged Maryann Murphy and Gloria Olson who worked together to put the 5K event together. He reported there were 202 runners and they raised \$10,000.00. Ms. Johnson thanked them for their generosity.

Proclamation – New Lenox Youth Football

Mayor Baldermann asked Trustee Tuminello to present a proclamation to the New Lenox Super Lights Jr. Warriors Football Team 2011 River Valley Super Lights Super Bowl Champs and to the New Lenox Super Lights Jr. Knights Football Team 2011 River Valley Super Lights Super Bowl Runner Ups.

Mayor Baldermann thanked the coaches and parents for their dedication, hard work and for teaching the kids good sportsmanship.

Trustee Dye asked Trustee Tuminello how parents can get their children involved in such a great organization.

Trustee Tuminello explained that anyone interested can contact the New Lenox Youth Football Association at www.nlyfa.com.

PUBLIC HEARING – Annexation Agreement – Morningstar Mission/2571 E. Lincoln Highway – Lyman Tieman

Mayor Baldermann opened the public hearing at 7:25p.m. At that time Ms. Ruhl swore in the speakers and provided proof of notice.

Ms. Ellis reported this is the annexation of Morningstar Mission Resale Shop and a multi-tenant commercial building with a residential unit on the second floor which requires a Special Use. She reported that a couple years ago the process for this annexation had begun but was put on hold because of concerns with the West Circle Drive improvements and the timing of the Rt. 30 improvements. She explained Trinity was recently before the Village Board for a County Rezoning, at that time the Board asked the petitioners to again proceed with the annexation process. Ms. Ellis stated this property is contiguous to the Village limits. She reported this proposal is to rezone to the C-3 District but because it is within a residential area the annexation agreement would prohibit some of the more intense C-3 uses such as motor home dealers and used car lots. She stated conditions for the requested Special Use for the existing upper-story residence are: the residence could be occupied by no more than two unrelated adults and their children, compliance with the New Lenox Fire District and building code requirements, and it be allowed to remain unless it's abandoned or unless the building is destroyed. She stated a couple of the site conditions as they relate to the annexation agreement are: the parking lot would be resurfaced and restriped within one year following the completion of the IDOT improvements, and the existing sign will be brought into conformance if it is relocated or replaced. Ms. Ellis explained that because of the loss of some of the parking that is within the Route 30 right-of-way, they are going to be building a new parking lot on the vacant 1.99 acres they own in the back of the building. Ms. Ellis showed a Site Plan with 63 parking stalls which may be scaled back in order to limit the expansion of the commercial into the residential area to the north. Ms. Ellis showed an overlay of the Route 30 improvements. She reported that once the Village annexes this property, West Circle Drive will be the Village's to maintain. She said IDOT will be constructing improvements to a portion of West Circle Drive extending a couple hundred feet from Rt.

30 with 36 feet of pavement, curb and gutter, and also a sidewalk placed along Rt. 30. The annexation proposes at such time as Trinity re-develops the site in the rear acreage, they will complete the improvements to West Circle Drive, and also construct a sidewalk along the west side of West Circle Drive. Ms. Ellis reported that Plan Commission recommended approval of the annexation, rezoning and the special use subject to the conditions of the special use.

Mr. Tieman, attorney for Morning Mission, didn't have anything to add at that moment.

Jim Homco, 254 Garfield, stated that he lives adjacent to the property and has a couple of concerns. His first concern is the screening of the commercial building and the adjacent residential properties. He stated the issue of detention was brought up at the Plan Commission meeting. He also has concerns about the lighting for the parking lot at the back of the building.

Mayor Baldermann asked for Trustee comments.

Trustee Dye asked if there was a time-line for what the commercial development.

Ms. Ellis stated at this time there is no immediate time-line for development except the parking lot.

Mr. Tieman answered currently they have no plans for developing any portion of the property except additional required parking in the back of the building. He stated that after IDOT completes the Route 30 construction, they will enter into a lease to retain parking in the front of the building. He added there will be roughly 54 parking spaces in the front of the building. He stated that he hoped the parking in the back would be predominately for employee parking and keep the customers in the front of the building.

Trustee Dye asked if the New Lenox Fire Department had been through the apartment to see if it's up to code.

Mr. Tieman answered that the Fire Department had been through the apartment as well as the building and everything is up to code.

Mr. Carroll added the annexation is based on trigger points, when there is redevelopment and something is modified or renovated to the building that will trigger bringing them into compliance with our building codes.

Trustee Smith asked if they would be moving some of the entryways so people can get in through the back or will they have to walk around the front.

The petitioner answered there are already rear entrances to most of the units.

Trustee Smith stated another concern was the lighting in the parking lots.

The petitioner informed that Ruetigger and Tonelli is working on the site plan with the Village's Planning Staff to make sure there is adequate lighting.

Trustee Smith asked if that will they will be taking care of retention/detention.

The petitioner answered whatever is required.

Trustee Butterfield brought up the landscape should be taken care of through the Village code.

Ms. Ellis stated as part of the site plan review they will have to do some landscaping around the parking lot. She added when staff gets the site plan they will evaluate it at that time.

Mayor Baldermann asked Ms. Ellis about screening in the back.

Ms. Ellis explained the zoning ordinance gives three different options; landscape berm, a six foot wood fence with landscaping or a masonry wall with landscaping.

Mayor Baldermann closed the Public Hearing at 7:37.

CONSENT AGENDA

Motion to approve 3 items on Consent Agenda #11-28 as presented in packet was made by Trustee Tuminello and seconded by Trustee Smith

Items up for approval:

- A - Minutes of Regular Meeting – November 14, 2011
- B - Surety Reduction – Hibernia Unit 2
- C - Surety Reduction – Sky Harbor Multi-Family

Upon roll call, the vote was:

AYES:	<u>6</u>	Trustees Butterfield, Dye, Madsen, Smith, Tuminello and Mayor Baldermann
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ABSTAIN:	<u>1</u>	Trustee Madsen Item A
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NAYS:	<u>0</u>	
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ABSENT:	<u>1</u>	Trustee Bowden
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The motion carried.

ORDER OF BUSINESS

Consideration of a Request for Site Plan Extension – New Lenox Town Center Lot 14

Ms. Ellis explained that this is the remainder of what used to be known as lot 3 of New Lenox Town Center before it was parceled off to make room for the Goodwill Store. She stated that Mr. McVickers is requesting a one year extension of the remainder of the site plan which would carry it through to December of 2012. She said staff has no objections to the request.

No comments or questions from the Board.

Motion to extend the Site Plan for one year was made by Trustee Dye and seconded by Trustee Smith

Upon roll call, the vote was:

AYES: **6** Trustees Butterfield, Dye, Madsen,
Smith, Tuminello and Mayor Baldermann

NAYS: **0**

ABSENT: **1** Trustee Bowden

The motion carried.

Consideration of an Ordinance Adding Article V, Illicit Discharge and Connection, of Chapter 38, Environment – 1st Read

Mr. Nash reported this ordinance is required by the Illinois EPA to bring us into compliance with our MS4 which is Municipal Separate Storm Sewer System. He stated this ordinance would provide us with a clear definition of illicit discharge, a clear definition of enforcements and penalties and how we can monitor the illicit discharges.

No comments or questions from the Board.

Mayor Baldermann stated this will come back for second read and adoption.

Consideration of Ordinance #2218 Authorizing the Issuance of Not to Exceed \$4,125,000 General Obligation Refunding Bonds, Series 2011A of the Village of New Lenox, Illinois- 1st Read

Mr. Carroll reported this ordinance is refunding a 2002 borrowing. He stated this is an opportune time to refinance and there should be a present day savings of \$330,000 but may be closer to \$380,000. Mr. Carroll asked the Board to waive 2nd read and adopt this ordinance so they can go forward with the refunding in the beginning of December.

Trustee Smith asked if the bond is a revenue bond.

Mr. Carroll reported that the bond is paid for by sewer and water fees.

No other comments or questions.

Motion to waive 2nd read was made by Trustee Butterfield and seconded by Trustee Smith. Upon voice vote, the motion carried with Trustees Bowden recorded as ABSENT.

Motion to adopt Ordinance #2218 was made by Trustee Madsen and seconded by Trustee Dye

Upon roll call, the vote was:

AYES:	<u>6</u>	Trustees Butterfield, Dye, Madsen, Smith, Tuminello and Mayor Baldermann
NAYS:	<u>0</u>	
ABSENT:	<u>1</u>	Trustee Bowden

The motion carried.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR

Proclamation – National Drunk & Drugged Driving “3D Prevention Month”

Mayor Baldermann asked the Board to Proclaim December 2011 as National Drunk & Drugged Driving “3D Prevention Month”.

Mayor Baldermann reported that the concert tickets went on sale for Jim Peterik and World Stage at the Village Hall. He added the concert will be held on January 14th at Lincoln Way West High School.

Mayor Baldermann stated that Trustee Bowden was absent but wanted him to remind everyone to please come out on Sunday, December 4th for the Christmas Tree Lighting Ceremony in the Commons. He reminded that Santa and Mrs. Claus would be at the event.

Mayor Baldermann recognized Trustee Nance Dye for being selected as the Outstanding Area Club President for Toastmasters.

VILLAGE ATTORNEY - None

VILLAGE ADMINISTRATOR - None

PAYROLL & DISBURSEMENTS

Trustee Butterfield made the motion to approve bi-monthly disbursements in the amount of \$269,542.42 and a manual disbursement in the amount of \$13,500.00. In addition to this disbursement approval is needed for bi-weekly payroll with the total amount of \$297,516.22 and a monthly payroll with the total amount of \$6,250.00 that were both paid out November 19, 2011.

Trustee Madsen seconded the motion.

No comments or questions from the Board

Upon roll call, the vote was:

AYES: **6** Trustees Dye, Tuminello, Butterfield,
Madsen, Smith, and Mayor Baldermann

NAYS: **0**

ABSENT: **1** Trustee Bowden

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR

A New Lenox Township resident asked if the Trustees had moved their seats.

Mayor Baldermann explained some of the Trustees did change their seating.

TRUSTEE COMMENTS

Trustee Smith

Trustee Smith reported on the coat drive.

Trustee Smith asked what the process is if someone leaves their vehicle at the commuter lot overnight. Mr. Rendleman explained the commuter needs to leave a brief note in the payment box with the payment or they can call the Village Hall. Trustee Smith asked for the information to be put on the Village website.

Mayor Baldermann stated that he has asked Trustee Dye to come to the Board with a report on permit parking for the commuter lot.

Trustee Dye

Trustee Dye extended sympathy Mayor Art Shultz Family

Trustee Bowden

Absent

Trustee Butterfield

Congratulations to the Junior Warriors and Junior Knights.

Trustee Madsen

No comments.

Trustee Tuminello

Trustee Tuminello congratulated Trustee Dye for her accomplishment with Toastmasters.

EXECUTIVE SESSION

None

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Dye.
Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on November 28, 2011 adjourned at 7:53 p.m.

Laura Ruhl, Village Clerk

APPROVED